

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Graham Kalazich

Art Unit: 3643

Application No. 10/505,310

Examiner: Ark, Darren W.

Filed: April 20, 2005

For: BAIT HOLDING SYSTEM

RESPONSE TO OFFICE ACTION OF JANUARY 20, 2006

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the Office Action dated January 20, 2006, please enter the following amendments and consider the following remarks.

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 9 of this paper.

Amendments to the Claims

1-99 (canceled)

100. (currently amended) A bait holding apparatus comprising:

a resiliently deformable receptacle including an elongated, hollow body member having an open end and an opposing generally parabolic-shaped closed end, the bait being insertable into the receptacle through the open end and, once inserted, the receptacle being resiliently deformable around the bait, ~~the receptacle~~ elongated, hollow body member being unitary with and extending seamlessly around from the generally parabolic-shaped closed end and lateral side(s) thereof; and

a plurality of apertures defined in ~~the receptacle~~ elongated, hollow body member such that the apertures form a perforated or grid-like formation around the bait in use, the plurality of apertures being positioned along a length of the elongated, hollow body member, when the bait is placed therein, the predator can sense the bait via the apertures.

101. (previously presented) The apparatus as claimed in claim 100 wherein the receptacle is an elongate sleeve into which the bait can be inserted.

102. (previously presented) The apparatus as claimed in claim 100 wherein the open end is reinforced.

103. (canceled)

104. (withdrawn) The apparatus as claimed in claim 100 wherein the closed end is adapted to provide a line attachment point thereto.

105. (withdrawn) The apparatus as claimed in claim 100 wherein the closed end has an aerodynamic profile to enhance movement of the apparatus through a fluid such as water.

106. (withdrawn) A bait holding apparatus comprising a plurality of rings in series through each of which the bait can be inserted, with each ring connected to a next adjacent ring by one or more connecting members.

107. (withdrawn) The apparatus as claimed in claim 106 wherein each ring is deformable and defines part of a lateral side of the receptacle.

108. (withdrawn) The apparatus as claimed in claim 106 wherein bait is inserted to extend through each of the rings in series.

109. (withdrawn) The apparatus as claimed in claim 106 wherein two connecting members maintain adjacent rings in spaced relation to each other.

110. (withdrawn) The apparatus as claimed in claim 106 wherein the receptacle or each of the rings is formed from an elastomeric material having shape memory.

111. (withdrawn) A method for forming a bait holding apparatus including a receptacle having an open end into which a bait is inserted, an opposing closed end, and a plurality of apertures defined in the receptacle such that, when the bait is inserted, a predator can sense the bait via the apertures, the method comprising:

- dipping a mandrel into molten material for the receptacle;
- removing the mandrel from the molten material;
- allowing the receptacle to solidify around the mandrel; and
- forming a plurality of apertures in the receptacle, either whilst on the mandrel, or once removed therefrom.

112. (withdrawn) The method as claimed in claim 111 wherein the step of forming a plurality of apertures in the receptacle comprises pressing, punching or cutting.

113. (withdrawn) A method for forming a bait holding apparatus including a plurality of rings in series through each of which a bait can be inserted, and one or more connecting members connecting each ring of the plurality to an adjacent ring, the bait holding apparatus made by the method comprising:

- arranging a sheet of deformable material on a substrate;

forming in the sheet a plurality of adjacent but non-overlapping rings;
forming in the sheet the one or more connecting members such that said one or more connecting members extend between adjacent rings of the plurality of rings; and
removing said plurality of adjacent but non-overlapping rings and said one or more connecting members from the sheet.

114. (withdrawn) The method as claimed in claim 113 wherein the steps of forming in the sheet the plurality of adjacent but non-overlapping rings and said one or more connecting members comprises pressing, punching or cutting the sheet.

115. (withdrawn) The method as claimed in claim 113 wherein in the step of forming in the sheet the one or more connecting members, two connecting members are defined to extend between adjacent rings, one being tangential to an upper part of each ring and the other being tangential to a lower part of each ring.

116. (withdrawn) A bait holding apparatus formed from a material having a plurality of apertures therethrough that has a shape that enables it to be positioned to surround the bait in a close-facing relationship, in a manner that tends to preserve the structural integrity of the bait, wherein the apparatus is chosen from a group consisting of:

a resiliently deformable receptacle having an open end and an opposing closed end, the bait being insertable into the receptacle through the open end and, once inserted, the receptacle being resiliently deformable around the bait, the receptacle extending seamlessly around the closed end and lateral side(s) thereof; and

a plurality of apertures defined in the receptacle such that, when the bait is placed therein, the predator can sense the bait via the apertures,

a metallic mesh receptacle, and

one or more ties or tapes having apertures therethrough and which can be wrapped around the bait in the close-facing relationship.

117. (withdrawn) The apparatus as claimed in claim 116 wherein the metallic mesh is a perforated or apertured stainless steel mesh.

118. (withdrawn) The apparatus as claimed in claim 116 wherein the ties or tapes are arranged in a grid formation for wrapping around the bait, the grid defining the apertures therethrough, with free ends of the ties or tapes being fastenable together to define the receptacle.

119. (withdrawn) A bait holding apparatus comprising:
a receptacle in which the bait can be held and including an opening through which the bait can be introduced into the receptacle; and
a closure for the receptacle opening and about which the receptacle can be releasably attached to close the opening.

120. (withdrawn) The apparatus as claimed in claim 119 wherein the closure has one or more passages extending therethrough such that fluid can flow from the apparatus exterior and into the receptacle interior.

121. (withdrawn) The apparatus as claimed in claim 119 wherein the closure is a bung having a peripheral recess defined at one end thereof into which a skirt portion of the receptacle opening can be releasably fastened.

122. (withdrawn) The apparatus as claimed in claim 121 wherein the skirt portion is retained in the recess by a tie or ring extending circumferentially therearound.

123. (withdrawn) The apparatus as claimed in claim 119 further comprising an attractor device associated with the closure.

124. (withdrawn) The apparatus as claimed in claim 123, wherein the attractor device includes filaments attached to the closure, coloring of the closure, reflective material at or dispersed through the closure, or shaping of the closure.

125. (withdrawn) The apparatus as claimed in claim 119 wherein the receptacle is resiliently deformable and has an open end and an opposing closed end, the bait being insertable into the receptacle through the open end and, once inserted, the receptacle being

resiliently deformable around the bait, the receptacle extending seamlessly around the closed end and lateral side(s) thereof.

126. (withdrawn) A bait holding apparatus comprising:

a receptacle in which the bait can be held and including an opening through which the bait can be introduced into the receptacle; and

a closure for the receptacle opening and having one or more passages extending therethrough such that fluid can flow from the apparatus exterior and into the receptacle interior.

127. (withdrawn) The apparatus as claimed in claim 126 wherein the receptacle is resiliently deformable and has an open end and an opposing closed end, the bait being insertable into the receptacle through the open end and, once inserted, the receptacle being resiliently deformable around the bait, the receptacle extending seamlessly around the closed end and lateral side(s) thereof and the closure has one or more passages extending therethrough such that fluid can flow from the apparatus exterior and into the receptacle interior.

128. (withdrawn) A bait holding apparatus comprising a plurality of ties, each tie connected to one or two adjacent ties and each having a fastening mechanism associated with opposite ends thereof such that each tie can be wrapped around the bait and fastened at or near its ends.

129. (withdrawn) The apparatus as claimed in claim 128 wherein each tie is connected to one or two adjacent ties by one or more transversally extending ties to define a tie grid.

130. (withdrawn) The apparatus as claimed in claim 129 wherein each transversally extending tie is insertable through a respective slot in each of the plurality of ties.

131. (withdrawn) The apparatus as claimed in claim 130 wherein each transversally extending tie is interferingly receivable in its respective slot in each of the plurality of ties.

132. (withdrawn) The apparatus as claimed in claim 128 wherein the fastening mechanism is chosen from the group consisting of:

free tie ends that can be tied together to fasten the apparatus to the bait and
a slotted head at one tie end and a free end at the other tie end that is receivable interferingly through the slot of its head to fasten the apparatus to the bait.

133. (withdrawn) The apparatus as claimed in claim 130, wherein sides of the other tie free end, or of each transversally extending tie, are serrated.

134. (withdrawn) The apparatus as claimed in claim 128 wherein each tie is a flat tape-like member, or is generally circular in cross-section.

135. (withdrawn) The apparatus as claimed in claim 128 wherein each tie is formed from an elastomeric material.

136. (withdrawn) An applicator for a bait holding apparatus that has a deformable opening to a receptacle, the applicator also being suitable for an apparatus as defined in claim 100, the applicator comprising a receptacle insertion end adapted for insertion into the opening of the receptacle to deformably open the same to facilitate bait insertion, and a bait guiding surface extending from the insertion end and over which the bait can be moved, with the bait guiding surface extending towards an applicator remote end for protruding beyond the receptacle when the applicator is inserted in the receptacle opening to facilitate applicator handling by a user.

137. (withdrawn) An applicator as claimed in claim 136 that is generally flat and, in plan view, that gradually tapers from a relatively wider remote end to a relatively narrower insertion end, with the bait guiding surface being defined on both sides of the applicator.

138. (withdrawn) The applicator as claimed in claim 136 wherein one or more guide channels are provided on the bait guiding surface to facilitate guidance of the bait towards and in through the receptacle opening.

139. (withdrawn) The applicator as claimed in claim 136 wherein one or more finger holes are provided at the remote end to facilitate user handling of the applicator.

140. (withdrawn) An applicator as claimed in claim 136 that has a concave guiding surface, defining an elongate channel extending between the insertion and remote ends.

141. (withdrawn) The apparatus as claimed in claim 126, wherein the receptacle is resiliently deformable and has an open end and an opposing closed end, the bait being insertable into the receptacle through the open end and, once inserted, the receptacle being resiliently deformable around the bait, the receptacle extending seamlessly around the closed end and lateral side(s) thereof and the closure is a bung having a peripheral recess defined at one end thereof into which a skirt portion of the receptacle opening can be releasably fastened.

142. (withdrawn) Apparatus as claimed in claim 126, wherein the receptacle is resiliently deformable and has an open end and an opposing closed end, the bait being insertable into the receptacle through the open end and, once inserted, the receptacle being resiliently deformable around the bait, the receptacle extending seamlessly around the closed end and lateral side(s) thereof and the apparatus further includes an attractor device associated with the closure chosen from the group consisting of filaments attached to the closure, coloring of the closure, reflective material at or dispersed through the closure, and shaping of the closure.

143. (withdrawn) The apparatus as claimed in claim 132, wherein sides of the other tie free end, or of each transversally extending tie, are serrated.